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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,407	09/15/1999	DAVID H. KOIZUMI	2207/6657	7402

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WASHINGTON, DC 20005

EXAMINER

AZARIAN, SEYED H

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 05/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

11

# Office Action Summary

Application No.

09/396,407

Applicant(s)

KOIZUMI, DAVID H.

Examiner

Seyed Azarian

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## **FINAL ACTION**

### **RESPONSE TO AMENDMENT**

1. Applicant's amendment filed, 3/3/2003, has been entered and made of record.
2. Applicants' arguments with regards to Claims 1-30 have been fully considered but they are not persuasive.

Applicant argues in essence that Inokuchi does not teach "magnetic ink". With respect to applicant's argument the Examiner disagrees and indicates Inokuchi teaches the following features: (Fig. 9, item 94, column 5, lines 53-59, which clearly mention pen 91 **made of magnetic material and ink 94** stored in the pen holder 93 is supplied through this opening to write a pattern on table sheet.

Root et al discloses information is stored in a standardized magnetic ink format know as the "JOT" format (column 5, lines 57-66).

### **Claim Rejections - 35 USC § 103**

3. Following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

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said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 and 24-30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Inokuchi (U.S. patent 3,819,857) in view of Root et al (U.S. 5,600,781).

Regarding claim 1, Inokuchi discloses an apparatus for storage of information, comprising: magnetic ink having a stored information signal (Fig. 10, column 6, lines 22-30, the outputs of three bits from comparators 104, are temporarily “store” in a first register).

However Inokuchi fail to disclose “magnetic ink stored information”. On the other hand Root et al in the same filed of magnetic ink teaches (column 5, lines 57-67, handwriting information is stored in a standardized “magnetic ink” format).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify Inokuchi invention according to the teaching of Root et al because by providing data information, which can easily transportable among computer system, it implements in unique identification and description to user for better result.

Regarding claim 2, Inokuchi discloses the magnetic ink of claim 1, wherein the stored information signal (column 7, lines 32-40, refer to input signal and sine waveform).

Regarding claim 3, Inokuchi discloses, the magnetic ink of claim 1, wherein the stored information signal includes a digital information signal (column 3, lines 31-40, refer to digital output).

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Regarding claim 4, Inokuchi discloses the magnetic ink of claim 1, wherein the stored information signal includes a time-varying frequency signal (column 6, lines 8-17, refer to time delay).

Regarding claim 5, Inokuchi discloses a magnetic information storage structure, comprising: a surface; and magnetic ink applied to the surface, said magnetic ink magnetized such as to contain an encoded information signal (column 3, lines 64-67, refer to encoding).

Regarding claim 6, Inokuchi discloses, a magnetic ink encoding stylus, comprising: a penpoint adapted to apply magnetic ink to a surface (column 9, lines 1-7, refer to surface), and a magnetic ink write head coupled to the penpoint and adapted to apply a varying magnetic flux to the magnetic ink as it is applied by the penpoint to the surface (column 3, lines 46-52, refer to magnetic flux).

Regarding claim 7, Inokuchi discloses, the apparatus of claim 6, wherein the magnetic ink write head includes, a magnetic field generator, and a magnetic shield (abstracts refer to magnetic rod and magnetic coil).

Regarding claim 8, Inokuchi discloses the apparatus of claim 7, wherein the magnetic field generator includes a magnetic coil (column 7, lines 49-56, refer to sensing coil).

Regarding claim 18, Inokuchi discloses the apparatus of claim 17, further comprising a direction sensor coupled to the encoding electronics (column 3, lines 53-60, refer to magnetic direction).

Regarding claims 9-17, 19-22 and 24-30, are similarly analyzed as claims 1-6.

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Regarding claims 19 and 20, it recites similar limitation as claims 10 and 11. Hence it is similarly analyzed and rejected.

5. Claim 23, is rejected under 35 U.S.C. 103(a) as being unpatentable over as applied to claim above, and further in view of Cobbley et al (U.S. patent 5,546,538).

Regarding claim 23, Inokuchi and Root et al filed to disclose "handwriting recognition". On the other hand Cobbley et al teaches (column 3, lines 26-32, the portable computer device analyzes each line written by the user using handwriting recognition algorithm).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made, to modify Inokuchi and Root et al invention according to the teaching of Cobbley et al because it is conventional method which can easily be implements in an image device and expedite identify the existence of the desired handwriting recognition.

***Claim Rejections - 35 USC § 102***

6. Following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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7. Claim 1, are rejected under 35 U.S.C. 102(b) as being anticipated by Root et al (U.S. patent 5,600,781).

Regarding claim 1, Root et al discloses: an apparatus for storage of information, comprising: magnetic ink having a stored information signal (Fig. 3, column 5, line 57-67, refer to handwriting information is stored in a standardized “magnetic ink” format).

### **Conclusion**

8. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Contact Information**

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Azarian whose telephone number is (703) 306-5907.

The examiner can normally be reached on Monday through Thursday from 6:00 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached at (703) 308-5246.

**Any response to this action should be mailed to:**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9314, (*informal* or *draft* communications, should be clearly labeled to expedite delivery to examiner).

**Hand delivered responses** should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

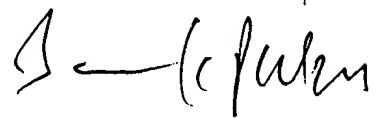
Any inquiry of a general nature or relating to the status of this application should be directed to T.C. customer service office whose telephone number is (703) 306-0377.

Seyed Azarian

Patent Examiner

Group Art Unit 2625

April 23, 2003



Jayanti K. Patel  
Primary Examiner